

ENTERED

April 29, 2024

Nathan Ochsner, Clerk

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re:

PIPELINE HEALTH SYSTEM, LLC., *et al.*,
Debtors.

TENET BUSINESS SERVICES CORPORATION, *et al.*,
Plaintiffs,
v.
SRC HOSPITAL INVESTMENTS II, LLC, *et al.*,
Defendants.

Chapter 11

Case No. 22-90291 (MI)

(Jointly Administered)

Adv. No. 23-03078 (lead case)
consolidated with Adv. Nos 23-03079, 23-03080, 23-03081 and 23-03082

**DEFENDANTS' EMERGENCY MOTION TO CONTINUE MAY 2, 2024
DISCOVERY CONFERENCE**

Defendant SRC Hospital Investments II, LLC, together with the other defendants (collectively "Defendants") respectfully move the Court for an Order continuing the discovery DENIED without prejudice. An amended motion may be filed after the movant has complied with paragraph 2 of the Court's Case Management order. In no event will the hearing be delayed for multiple weeks.

Signed: April 29, 2024



Marvin Isgur
United States Bankruptcy Judge

conference (Doc. 119). On April 29, 2024, the Court issued a Case Management Order (Doc. 120) granting Tenet's request for an emergency conference on May 2, 2024. Per the Case Management Order, the parties are ordered to appear in person for an evidentiary hearing. (Doc. 120, ¶ 4.)

Defendants' counsel agreed to the May 2 discovery conference as originally scheduled because counsel were permitted to appear remotely. The Case Management Order mandating personal appearances unfortunately creates a scheduling conflict for Defendants. While same-day flights into Houston from John Wayne Airport are available, they arrive either after the discovery conference or too close to the start of the hearing after factoring in potential delays, tarmac time, and traffic. Further, Defendants' lead trial counsel has a pre-existing deposition that prevents him from flying into Houston the day before the discovery conference. Pursuant to Local Rule 9013-1(g), Defendants' counsel conferred with Plaintiff's counsel about the continuance. *See* Certificate of Conference, *infra*, at p. 3.

Therefore, Defendants respectfully request that the Court briefly continue the discovery conference so that Defendants' counsel can appear in person as required by the Case Management Order. Defendants propose the following potential alternative hearing dates: May 24, May 29, June 19, June 25, and June 26. Defendants' counsel could also appear for an earlier hearing on May 6 as their last preference.

Dated: April 26, 2024

CARLSON & JAYAKUMAR LLP



/s/ Keith W. Carlson
Keith W. Carlson
(Cal. Bar 193437 *admitted pro hac vice*)
Lil G. Delcampo
(Cal. Bar 190055 *admitted pro hac vice*)
Kathrynn F. Benson
(Cal. Bar 311000 *admitted pro hac vice*)
2424 S.E. Bristol Street, Suite 300
Newport Beach, CA 92660
Telephone: 949-222-2008
Email: keith@cjattorneys.com
lil@cjattorneys.com
kathrynn@cjattorneys.com

and

JACKSON WALKER LLP

Veronica A. Polnick (TX Bar No.
24079148)

Javier Gonzalez (TX Bar No. 24119697)
1401 McKinney Street, Suite 1900
Houston, TX 77010

Telephone: (713) 752-4200

Facsimile: (713) 752-4221

Email: vpolnick@jw.com
jgonzalez@jw.com

Co-Counsel for Defendant Debtors

CERTIFICATE OF CONFERENCE

I, Kathrynn Benson, certify that on April 25, 2024, I personally conferred with Jared Slade, attorney for Plaintiffs, via email about stipulating to continue the discovery conference to one of the above dates given the challenges around appearing in person on May 2, or alternatively, filing the instant motion for a continuance. Attorney Slade advised he would confer with Plaintiffs but was not in a position to represent whether Plaintiffs would stipulate to a continuance or otherwise oppose a motion for continuance.

/s/ Kathrynn Benson /

Kathrynn Benson
Counsel for Defendant Debtors

CERTIFICATE OF SERVICE

I hereby certify that on April 26, 2024, I caused a true and correct copy of the foregoing to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/ *Kathrynn Benson* /
Kathrynn Benson

Counsel for Defendant Debtors